
	LOS LUNAS POLICE DEPARTMENT		
	OPERATIONS	NUMBER: OPR.06.01(B)	EFFECTIVE DATE: December 21, 2011
	SUBJECT: SWAT TEAM 40 MM		REVIEW DATE: August 4, 2015
	AMENDS/ SUPERSEDES:	NMSA:	
NMMLEPSC STANDARDS: OPR.06.01(B)		APPROVED BY CHIEF OF POLICE NAITHAN G. GURULE  Signature	

I. PURPOSE:

This policy addresses the training and use of extended range less-lethal weapons and projectiles. The Police Department recognizes the combative, non-compliant, armed and/or violent subjects cause handling and control problems that require special training and equipment. Thus, the Department has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations.

II. DEFINITIONS:

Less-Lethal Force Philosophy: A concept of planning and force application, which meets operational objectives, with less potential for causing death or serious physical injury than conventional police tactics.

Kinetic Energy Impact Projectiles: Flexible or non-flexible projectiles, which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury, when compared to conventional projectiles.

Safety Priorities System: This system prioritizes the safety of all persons at or near the scene of a tactical police operation, including civilians and the police. In order to come to a difficult decision regarding the resolution of an incident, these priorities must be established and used.

Subject: The person who is the focus of the police operation.

The Los Lunas Police Department Safety Priorities System are established as follows:

1. Hostages
2. Involved non-subject civilians
3. Police Officers
4. Subjects

III.LESS- LETHAL EXTENDED RANGE IMPACT DEVICES

- A. There are many projectiles considered "less-lethal." The primary types used by the Los Lunas Police Department SWAT Team 40mm exact impact O/C round (sponge) and 40mm bean bag round.

IV.EVALUATION OF PROJECTILES

- A. Kinetic energy impact projectiles will be evaluated on the following criteria:
 1. Accuracy
 2. Effectiveness
 3. Potential for causing death or serious injury
- B. Accuracy
 1. This is the primary consideration, since proper shot placement greatly assists in controlling the other two evaluation criteria.
 2. This will be evaluated based on the anticipated ranges of deployment.
 3. A minimal standard of accuracy for such rounds is 12-inch group at 25 yards for the 40mm system. This standard is achieved from a secure rest.
- C. Effectiveness
 1. This is the potential of the round to cause incapacitation and reduce the subject's ability to continue their threatening behavior.
 2. The level of energy necessary to cause incapacitation creates the potential for injury, but when properly deployed, with a low probability for causing serious

physical injury or death.

D. Potential for Causing Serious Physical Injury or Death

1. The potential for causing death or serious physical injury with such projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where the subject is struck in the chest, back, thoracic and abdominal cavities and the groin.
2. When engaging a target, the officer should evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation is the desired goal, and alternative target areas/response should be considered when rounds are not effective. Alternative target area/response consideration will be based on the circumstances the officer is encountering and the established department safety priorities.

V. DEPLOYMENT AREAS

- A. Deployment Circumstances: The less-lethal projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force authorized.
- B. Primary Areas: The less-lethal projectiles should be directed at the following primary areas in circumstances where death or serious physical injury would not be acceptable.
 1. Front Perspective of Subject
 - a. Arm below the elbow
 - b. Lower Abdomen
 - c. Thigh
 - d. Leg below the knee
 2. Rear Perspective of Subject
 - a. Buttock
 - b. Arm below the elbow

- c. Thigh
- d. Leg below the knee

C. Higher Risk Target Areas

1. Less-lethal projectile deployments to the face/head/neck area are very likely to cause death and/or serious injury, and are to be avoided unless deadly force is justified under the circumstances.
2. Less-lethal projectile impacts to the solar plexus have an elevated medical potential for death and/o serious injury over the primary areas. However, deployment to this area does generally have a higher potential for incapacitation. Any deployment to this area must be justified by the circumstances.
3. When deploying less-lethal projectiles officers are authorized to consider targets in higher risk areas if such a use of force is justified and efforts to subdue the subject using a primary area are ineffective, inappropriate, or too dangerous.

****Example:** A Suspect armed with a machete is walking towards you, while the cover officer is preparing to use deadly force. A less-lethal projectile deployed to the solar plexus of the offender may be the officers only chance for survival. The need to stop the assailant outweighs the increased potential for injury.

VI. USE OF FORCE CONSIDERATIONS

- A. As in all cases involving the use or potential use of force by officers of the Los Lunas Police Department consideration must be based on the Departments Use of Force Policy, ~~Reactive Control Model~~ (Removed August 4, 2015) and the "objectively reasonable" standard set forth in the decision of Graham vs. Connor.
- B. The use of kinetic energy impact projectiles are considered to be force unlikely to cause death or serious physical injury when deployed to the primary targets areas.
- C. The use of kinetic energy impact projectiles are considered deadly force, if intentionally deployed to the head or the

neck.

VII. DEPLOYMENT TECHNIQUES

- A. Deployment Techniques - 40 mm
 - 1. All 40 mm less-lethal delivery systems will be maintained by SWAT and issued to the SWAT Teams Less Than Lethal Operators.
 - 2. This system will only be deployed by selected officers who have qualified with the delivery system. This system will be deployed with a lethal cover officer.

VIII. HANDLING OF INJURED SUBJECTS

- A. Any subject who is struck by a less-lethal round shall be transported by ambulance to a medical facility for examination by a physician.

IX. REPORTING

- B. The SWAT Commander shall notify the Division Commander, without unnecessary delay, whenever any less-lethal projectiles are deployed at a Subject by using the department use of force reporting form. The use of force will be reviewed as any other use of force report would be via the chain of command.

X. LESS-LETHAL TRAINING

- A. All officers training in the use of less-lethal projectiles will be conducted by an instructor trained and certified.
- B. The less-lethal projectiles training program shall include annually re-certification for all less-lethal officers.